

Town of Frederick Board of Trustees



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AM 2010-106

To Consider an Amendment to the Approved Conditional Use to Add Outdoor Storage to Glacier Park Self Storage


Agenda Date: October 26, 2010

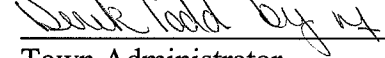
Attachments:

- a. Resolution
- b. Applicant's depiction of spaces
- c. Vicinity Map

Fiscal Note: None noted or provided Fiscal note


Administrative Services Director

Submitted by: Jennifer Simmons 
Planning Director

Approved for Presentation: 
Town Administrator

AV Use Anticipated Projector ☒ Laptop ☐

Certification of Board Approval:

Town Clerk

Date

Summary Statement:

The applicant has requested an amendment to their conditional use to operate a mini storage facility located at 3758 Imperial Street within the Glacier Business Park. Under the existing Land Use Code, mini-storage and auto, rv, boat, and truck storage are conditional uses. The request would allow up to 36 vehicles to be stored on site. Additionally, the applicant has requested that the sidewalk adjacent to Imperial Street be installed at the time of construction of the second phase of the project.

Detail of Issue/Request:

Applicant / Owner: Stuart Painter

Oakwood Corporation

Agent: Cameron Grant
Grant, Grant, and Goiran

Location and Zoning: The project is located at 3758 Imperial Street, Lots 6 and 7, Block 1 Glacier Business Park Amended 1st Filing. The property is zoned Business Light Industrial.

Surrounding Zoning / Land Uses:

North	C-H52/Retail
South	Industrial/Industrial uses
East	Business Light Industrial/Vacant property
West	Business Light Industrial/Office building under construction

Discussion: An application has been filed to request that the existing conditional use for mini-storage with an accessory dwelling unit be amended to allow the outdoor storage of rv's, boats, and vehicles. Additionally, the applicant requests that the sidewalk that is required to be installed by September 30th, 2010 be allowed to be constructed at the time of construction of Phase II.

The request to amend the conditional use has been reviewed by Planning, Engineering, the Town Attorney, and the Fire Marshal. Because no utilities are affected, it was not referred to any of the utility companies.

At the time that the Glacier Park Self Storage application was filed, the Land Use Code made distinctions between outdoor storage (related to a business), boat and rv storage, and self storage units. The radius around each use was only related to a similar use. The one mile radius that was required between self storage businesses didn't take boat and rv storage into consideration. Since then, the Land Use Code has been revised to include these uses in one use category and has changed the distance of separation to a required three mile radius.

Review Criteria: The Town shall use the following criteria to evaluate the Applicant's request:

- (1) The conditional use will satisfy all applicable provisions of this Code and subdivision regulations unless a variance is being requested.
- (2) The conditional use will conform with or further the goals, policies and strategies set forth in the Comprehensive Plan.
- (3) The conditional use will be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.
- (4) The conditional use will not substantially alter the basic character of the district in which it is located or jeopardize the development or redevelopment potential of the district.
- (5) The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
- (6) Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts.
 - (a) Traffic;

- (b) Activity levels;
 - (c) Light;
 - (d) Noise;
 - (e) Odor;
 - (f) Building type, style and scale;
 - (g) Hours of operation;
 - (h) Dust; and
 - (i) Erosion control.
- (7) The applicant has submitted evidence that all applicable local, state, and federal permits have been or will be obtained.

The applicant is not requesting a variance from the Land Use Code. The conditional use can conform with the goals, policies, and strategies set forth in the Comprehensive Plan regarding retaining existing businesses. The existing conditional use is adequately served with public utilities, services and facilities. The addition of outdoor storage will not affect the provision of utility services. The proposed use is surrounded on three sides by existing mini-storage buildings and on the fourth side by a six-foot masonry fence. No state or federal permits are needed with for this application. Traffic levels are not anticipated to change significantly. Activity levels with the outdoor storage are less than would be evident with the buildout of Phase 2 of the project. Light, noise, and odor levels will be the same as currently exists. The hours of operation remain the same. Dust and erosion control are no different than current operations.

Public Notice: The public hearing was noticed in accordance with the provisions of the Land Use Code.

Planning Commission: The Planning Commission heard this application at the public hearing held October 19th, 2010. Because of the timeline associated with packets, minutes from the meeting and the associated Planning Commission Resolution will be provided via e-mail as soon as possible following the meeting. The staff recommendation to Planning Commission is approval with the following conditions:

1. Applicant may combine spaces for use for larger stored items but shall not divide spaces identified on parking plan.
2. Approval of outdoor storage in the area specified on the plans expires upon construction of each individual building.
3. The sidewalk adjacent to Imperial Street will be constructed prior to the issuance of the first building permit of Phase 2.

Because the public hearing for a conditional use is held at the Planning Commission, this item is being placed on the Board of Trustees consent agenda. This process was agreed to by the Board of Trustees during the last discussion of revisions to Land Use Code Article 4, Subdivision Regulations.

Legal/Political Considerations:

Legal staff has reviewed the application for conformance with the Town Codes.

Alternatives/Options:

The Board of Trustees may choose from the following options:

- Approve the request to amend the Conditional Use.
- Deny the request to amend the Conditional Use.
- Approve the request to amend the Conditional Use.

Financial Considerations:

Not Applicable.

Staff Recommendation:

Staff recommends approving the request to amend the Conditional Use with the following conditions as outlined in the attached resolution:

1. Applicant may combine spaces for use for larger stored items but shall not divide spaces identified on parking plan.
2. Approval of outdoor storage in the area specified on the plans expires upon construction of each individual building.
3. The sidewalk adjacent to Imperial Street will be constructed prior to the issuance of the first building permit of Phase 2.